REMARKS

After entry of this paper, claims 1-21 and 23-64 are pending in this application. Claims 1-15, 20-21, 27-31 are withdrawn. Claim 22 has been cancelled without prejudice. Applicants reserve the right to pursue the subject matter of the withdrawn or cancelled subject claims in a divisional or continuing application. Claims 16-19 and 23-26 are amended. New claims 32-64 have been added. No new matter has been added.

Restriction Requirement

Claims 1-31 are pending in this application and have been subjected to election of an invention group and a single disclosed species for prosecution on the merits under 35 U.S.C. §121. In the Examiner's opinion, as set forth in the Detailed Action, the application contains claims directed to four patentably distinct inventions as follows:

Group I: claims 1-15, 20-21, and 27, drawn to isolated nucleic acids, classified in class 536, subclass 23.1;

Group II: claims 16-19 and 22-26, drawn to amino acid sequences, classified in class 530, subclass 350;

Group III: claim 28, drawn to a method of identifying or obtaining a human chromosome 20p13-p12 gene or homolog, classified in class 435, subclass 6; and

Group IV: claims 29-31, drawn a method of treating a chromosome 20 disorder, classified in class 424, subclass 139.1.

As stated above, applicants provisionally elect Group II, including claims 16-19 and 22-26 for prosecution. Applicants respectfully disagree with the restriction requirement imposed by the Examiner and the characterizations made of the claimed invention. Accordingly, this election is made with traverse.

Furthermore, the Examiner is of the opinion that the application contains claims directed to patentably distinct species of the claimed invention. However, Applicants provisionally elect SEQ ID NO:5 for prosecution with traverse.

Support for the Amendments and New Claims

Support for the amendments and new claims can be found throughout the original specification and claims as filed (please refer to U.S. publication 2004/0077011).

Support for amended claim 16 can be found at least in paragraph 0081, which indicates that there is nucleotide sequence identity "preferably at least about 90% and more preferably at least about 95-98% of the nucleotide bases." Support for amended claim 17 can be found throughout the specification, for example in paragraph 0048: "The proteins and polypeptides of this invention can be isolated and/or recombinant." Support for amended claim 18 can be found in claim 19, as originally filed Support for amended claim 19 can be found in the Sequence Listing at SEQ ID NO.:5. Support for amended claims 23-26 can be found at least in paragraph 0004 and paragraph 0048, as referred to above.

Support for new claims 32-39, 63 and 64 can be found at various points in the specification, such as paragraphs 0004, 0007, 0080, 0095, 0096, and 0336, which state "monoclonal antibodies that specifically bind to the gene products" (0004); "antibody fragments" (0007); "'Antibodies' refer to polyclonal and/or monoclonal antibodies and fragments thereof…the term antibody is used to refer to homogenous molecular entity, or a mixture such as a serum product made up of a plurality of different molecular entities" (0080); "The antibodies include hybrid antibodies, chimeric antibodies, and univalent antibodies. Also included are Fab fragments, including Fab 1 fragments and Fab(ab)2 fragments of antibodies" (0095); "Antibodies against the immunogenic components can also be used, unlabeled or labeled by standard methods…" (0096); and "…generating anti-idiotypic antibodies (anti-ids)…" (0336).

Support for new claims 40-43 can be found in the specification in paragraphs 0062 and 0313, for example, "An 'antigenic component' is a moiety that binds to its specific antibody with sufficiently high affinity to form a detectable antigen-antibody complex" and "…a stable antigen-antibody complex can form…."

Support for new claims 44-51 can be found in the specification in paragraphs 0339-0341, for example, in paragraph 0339: "Pharmaceutical formulations suitable for therapy comprise the active agent in conjunction with one or more biologically acceptable carriers…Preferred…are physiologically or pharmaceutically acceptable carriers."

Support for new claims 52-59 is found in at least paragraph 0096: "These antibodies…can be used, e.g., in an immobilized form bound to a solid support by well known methods…."

Support for new claims 60-62 can be found in at least paragraphs 0335-0337: "…one first determines the three-dimensional structure of a protein of interest…by x-ray crystallography…" (0335); "It is also possible to isolate a target-specific antibody, selected by a functional assay, and then to solve its crystal structure" (0336); "…sufficient amounts of Gene 216 protein may be made available to perform such analytical studies as x-ray crystallography" (0337).

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the election requirement of claims and allowance of this application.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. **13-4500**, Order No. 2976-4039US3.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. **13-4500**, Order No. 2976-4039US3.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: June 27, 2006 By: _____
Evelyn M. Kwon
Registration No. 54,246

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
Previously presented York, NY 10281-2101

(212) 415-8700 Telephone
(212) 415-8701 Facsimile